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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
 Separate paging is given to this Part in order that it may be filed
 as a separate compilation.

भाग II—खण्ड 4

PART II—Section 4

रक्षा मंत्रालय द्वारा जारी किये गये विधियुक्त नियम और आदेश

**Statutory Rules and Orders issued by the
 Ministry of Defence**

MINISTRY OF DEFENCE

New Delhi, the 28th February 1966

S.R.O. 51—In exercise of the powers conferred by section 31 of the Cantonments Act 1924 (2 of 1924), the Central Government hereby makes the following rules further to amend the Cantonments Electoral Rules, 1945, the same having been previously published as required by the said section namely:—

RULES

1. (1) These rules may be called the Cantonments Electoral (Amendment) Rules, 1966.

(2) They shall come into force at once.

2. In the Cantonments Electoral Rules, 1945,—

(1) In Rule 2—

(a) in clause (e), for the words “set out in the First Schedule”, the words “set out in the Schedule to these rules” shall be substituted;

(b) clause (g) shall be omitted;

(c) after clause (h), the following clause shall be inserted, namely:—

“(i) ‘Scheduled Tribes’ means the tribes or tribal communities specified in the Schedule to the Constitution (Scheduled Tribes) Order, 1950, made under clause (1) of article 342 of the Constitution.”;

(2) for rule 3, the following rule shall be substituted, namely—

"3. Division of Cantonments into Wards, the number of members to be elected by each ward and the reservation of seats for Scheduled Castes or Scheduled Tribes in such wards—For the purpose of election to a Board of any Cantonment—

- (a) the wards into which that Cantonment shall be divided,
- (b) the extent of each such ward,
- (c) the number of members to be elected by each such ward, and
- (d) the number of seat or seats that may be reserved for the members of the Scheduled Castes or Scheduled Tribes in any such ward or wards.

shall be those as may be prescribed for that Cantonment by rules made by the Central Government under clauses (a) and (b) of section 31 of the Act."

(3) for rule 4, the following rule shall be substituted, namely:—

"4. Registration—No person shall be entitled to be registered in the electoral roll for more than one ward and no person shall be so registered for any ward more than once."

(4) rule 6 shall be renumbered as sub-rule (1) thereof and in sub-rule (1) as so renumbered, the words "drawn up on a street to street basis and divided into separate parts for each ward" occurring at the end, shall be omitted, and after that sub-rule, the following sub-rules shall be inserted, namely.—

"(2) The electoral roll shall be divided into separate parts for each ward."

(3) The names of electors in each part of the roll shall be arranged according to house numbers

*Explanation—*For the purpose of this sub-rule any building or unit line used for the purpose of lodging troops shall be deemed to be a house

(4) The names of electors in each part of the electoral roll shall be numbered as far as practicable, consecutively with a separate series of numbers beginning with number one";

(5) for rule 7, the following rule shall be substituted, namely—

"7 Manner of ascertaining names of electors for inclusion in the electoral roll—(1) The Executive Officer for the purpose of preparing the electoral roll may send letters of request in Form I-A to the occupants of dwelling houses in the Cantonment and every person receiving any such letter shall furnish the information called for therein to the best of his ability.

(2) The Executive Officer shall ascertain the names of members of the Armed Forces and other defence personnel residing in the unit lines or other buildings, who are eligible for registration in the electoral roll of the Cantonment, from the Officer Commanding the Station or the Officer Commanding the Unit, as may be deemed necessary."

(6) for rule 9, the following rule shall be substituted, namely—

"9. Claims and objections.—(1) Every claim for the inclusion of a name in the electoral roll and every objection to an entry therein shall be made within a period of 20 days from the date of publication of the notice under rule 8.

(2) Every claim made under sub-rule (1) shall be—

- (a) in Form III;
- (b) signed by the person desiring his name to be included in the roll; and
- (c) countersigned by another person whose name is already included in that part of the roll in which the claimant desires his name to be included.

(3) Every objection to the inclusion of a name in the roll shall be—

- (a) in Form IV;
- (b) preferred only by a person whose name is already included in that roll; and
- (c) countersigned by another person whose name is already included in that part of the roll in which the name objected to appears.

- (4) Every objection to any particular or particulars in an entry in the roll shall be—
 - (a) in Form IV-A; and
 - (b) preferred only by the person to whom that entry relates.
 - (5) Every claim or objection shall be presented to the Executive Officer in person or be sent by registered post to the Executive Officer.
 - (6) If any objection relates to the inclusion in the electoral roll of the name of a person other than the objector, the objection shall be filed in duplicate.
 - (7) Any claim or objection which is not made within the period or in the form and manner specified in this rule shall be rejected by the Executive Officer.”;
- (7) in rule 11, for the words, brackets and figure “under sub-rule (3)” the words, brackets and figure “under sub-rule (7)” shall be substituted;
- (8) in rule 13A, the following sentence shall be added at the end, namely—
“The roll with the names so re-arranged shall be published in the manner specified in rule 8 and shall, on such publication, be the electoral roll for the altered wards.”;
- (9) for rule 14, the following rule shall be substituted, namely—
“14. **Public Notice of Election.**—As soon as possible after the notification by the Central Government of the date of an election under section 16 of the Act, the Board or where a Board has not been constituted, the Officer Commanding the Station shall draw up and publish in the same manner as in rule 8, a public notice setting out (a) the date, time and places of polling, (b) the number of persons to be elected, (c) the time and place for receipt of nominations, (d) the time and place for scrutiny of nominations, (e) the symbols that may be chosen by candidates and the restrictions under which their choice shall be subject, and (f) any other matter which may be necessary for information and assistance of voters and candidates.”
- (10) for rule 16, the following rule shall be substituted, namely—
“16. **Nomination of candidate for election and appointment of election agent.**—(1) A candidate for election shall be nominated by a nomination paper in Form VI. The nomination paper shall be signed by a registered elector of the ward for which the candidate proposes to stand, as proposer, and shall contain a declaration signed by the candidate that he assents to the nomination.
(2) No elector shall act as proposer for more candidates than there are seats to be filled.
(3) Each candidate may appoint one person, by power of attorney, as his election agent, and such agent shall be entitled to act for the candidate unless otherwise provided by these rules.
(4) Where more nomination papers than one are presented by the candidate or on his behalf by his election agent or his proposer, the declaration as to symbols made in the nomination paper first delivered and no other declaration as to symbols, shall be taken into consideration by the Returning Officer even if that nomination paper has been rejected.”;
- (11) in rule 17,—
 - (a) in sub-rule (1),
 - (i) for the word “proclamation” the words “public notice” shall be substituted;
 - (ii) the words “or seconder” occurring at the end of the first sentence shall be omitted;
 - (b) In the first proviso to sub-rule (3), for the word “Community” the words “or Scheduled tribe” shall be substituted;

(12) in rule 20, in sub-rule (1),—

- (a) in the second sentence of the first paragraph, after the words “and their proposers” the words “and seconders” shall be omitted;
- (b) in the second paragraph and in the proviso, for the word “nominators” the word “proposer” shall be substituted;
- (c) after the existing proviso, the following proviso shall be inserted, namely—

“Provided further that any objection raised merely in regard to failure to complete, or defect in completing the declaration as to symbols in a nomination paper shall not be considered as a ground for rejecting the nomination paper and when any such objection being raised the Returning Officer shall cause the nomination paper to be completed or defect rectified by the candidate who has filed or on whose behalf the nomination paper has been filed.”;

(13) for rules 21 and 22 the following rules shall be substituted, namely:—

- “21. **Withdrawal of candidature.**—(1) Any candidate may withdraw his candidature by notice in writing in Form VII-A signed by him and delivered in person by him or by his election agent to the Returning Officer before four O’Clock in the afternoon on the day following the scrutiny of nomination papers under sub-rule (1) of rule 20.
- (2) On receipt of such notice the Returning Officer shall note thereon the date and time at which it was delivered.
 - (3) The Returning Officer shall, on being satisfied as to the genuineness of notice of withdrawal and the identity of the person delivering it under sub-rule (1), cause a notice in Form VII-B to be posted at the Cantonment Office.
 - (4) A candidate who has given notice of withdrawal of his candidature under sub-rule (1) shall not be allowed to cancel the notice, or to be renominated as a candidate for the same election.
22. **Procedure in contested and un-contested elections.**—If, after the hour for withdrawal prescribed in sub-rule (1) of rule 21 has expired—
- (a) the number of contesting candidates in a ward is more than the number of members to be elected for that ward, a poll shall be taken;
 - (b) the number of such candidates is equal to or less than the number of members to be elected for that ward, the Returning Officer shall forthwith declare such candidate or all such candidates as the case may be, to be duly elected.

22A. **Special procedure at elections in wards where seats are reserved for Scheduled Castes or Scheduled Tribes.**—(1) The provisions of this rule shall apply in relation to any election in wards, where one or more seats have been reserved for members of the Scheduled Castes or Scheduled Tribes.

(2) If, after the hour for withdrawal prescribed in sub-rule (1) of rule 21 has expired,

- (a) the number of contesting candidates qualified to be chosen to fill the seat or seats reserved for Scheduled Castes or Scheduled Tribes (hereinafter referred to as ‘reserved seat’) is equal to or less than the number of such seat or seats, the candidate or candidates shall forthwith be declared to be elected to fill the reserved seat or seats, and the procedure laid down in rule 22 shall be followed in filling the remaining seat or seats other than the reserved seat or seats;
- (b) the number of contesting candidates qualified to be chosen to fill the reserved seat or seats exceeds the number of such seat or seats but the total number of contesting candidates is equal to the total number of seats to be filled, the Returning Officer shall first select by lot to be drawn by him in such manner as he may determine, the candidate or candidates to be declared elected to the reserved seat or seats out of the candidates qualified to be chosen to fill the reserved seat or seats and thereafter declare the remaining candidate or candidates to be duly elected to fill the remaining seat or seats;

- (c) the number of contesting candidates qualified to be chosen to fill the reserved seat or seats exceeds the number of such seat or seats and the total number of contesting candidates also exceeds the total number of seats to be filled, a poll shall be taken and after poll has been taken, the Returning Officer shall first declare the candidate or candidates, who, being qualified to be chosen to fill the reserved seat or seats, has or have secured the largest number of votes, to be duly elected to fill the reserved seat or seats, and then declare such of the remaining candidate or candidates who has or have secured the largest number of votes to be duly elected to fill the remaining seat or seats;
- (d) the number of contesting candidates qualified to be chosen to fill the seat or seats reserved for Scheduled Castes or Scheduled Tribes is nil, the procedure laid down in rule 22 shall be followed in filling the remaining seat or seats other than the reserved seat or seats.

22-B. Eligibility of members of Scheduled Castes or Scheduled Tribes to hold seats not reserved for those Castes or Tribes.—A member of the Scheduled Castes or Scheduled Tribes shall not be disqualified to hold a seat not reserved for members of those Castes or Tribes, if he is otherwise qualified to hold such seat under the provisions of the Act.

22-C. Publication of list of contesting candidates and publication of results of uncontested elections.—(1) The Returning Officer shall draw up in Form VII-C, a list ward by ward, of candidates who are standing for election and also a list of candidates, if any, who have been declared duly elected under the provisions of clause (b) of rule 22 or clause (a) or clause (b) of sub-rule (2) of rule 22-A, as the case may be. Such lists shall be published in the same manner as a notice under rule 8 and not later than twenty days before the date of poll.

(2) The names of candidates who are standing for election shall be arranged in Form VII-C in the alphabetical order. The alphabetical order shall be determined with reference to the surnames of the candidates having surnames and the names proper of other candidates.

(3) At an election where a poll becomes necessary, the Returning Officer shall consider the choice of symbols expressed by the contesting candidates in their nomination papers and shall—

(a) Allot a different symbol to each contesting candidate, in conformity as far as practicable, with his choice, and

(b) if more contesting candidates than one have indicated their preference for the same symbol, decide by lot to which of such candidates the symbol will be allotted.

(4) The allotment by the Returning Officer of any symbol to a candidate shall be final.

(5) Every candidate or his election agent shall forthwith be informed of the symbol allotted to the candidate and shall be supplied with a specimen thereof by the Returning Officer”;

(14) for rule 24, the following rule shall be substituted, namely:—

“24. Forfeiture and Return of Deposits.—(1) Subject to the provisions of sub-rule (2), the deposit made by a candidate under sub-rule (3) of rule 17 shall be forfeited to the Board and credited to the Cantonment Fund if at an election a poll has been taken, the candidate is not elected and the number of valid votes polled by him does not exceed one-sixth of the total number of valid votes polled by all the candidates in the ward, or in the case of election of more than one member at the election, one-sixth of the total number of valid votes so polled divided by the number of members to be elected;

(2) The deposit made by a candidate—

(a) whose nomination is rejected or declared invalid; or

(b) who withdraws his candidature in the manner provided in sub-rule (1) of rule 21 and before the time stipulated therein;

(c) who dies before the commencement of the poll; or

(d) who is elected;

shall be returned to the candidate (or in the event of his death, to his legal representative) as soon as may be after the publication of result of the election under rule 39.”;

(15) in rule 25, for sub-rule (2), the following sub-rules shall be substituted, namely:—

“(2) Each polling officer shall be provided with a copy of the electoral roll for the ward of the Cantonment which his polling station serves, containing an additional column for recording the serial number of ballot papers issued. He shall also be provided with sufficient number of ballot boxes, ballot papers, instruments for stamping the distinguishing mark on ballot papers and articles necessary for electors to mark the ballot papers.

(3) Outside each polling station there shall be displayed prominently—

(a) a notice specifying the ward, the electors of which are entitled to vote at the polling station and, when the ward has more than one polling station, the particulars of the electors so entitled, and

(b) a copy of the list of candidates.

(4) At each polling Station there shall be set up one or more voting compartments in which electors can record their votes screened from observation.”;

(16) for rules 26 and 27, the following rules shall be substituted, namely:—

“26. **Ballot box and its preparation for poll.**—(1) Every ballot box used at a polling station shall be so made that papers once inserted cannot be withdrawn without unlocking it.

(2) Immediately before the commencement of the ballot, the polling officer shall show the ballot box empty to such persons as may be present at the polling station and shall lock it up and place a seal upon the ballot box in such manner as to prevent its being opened without breaking the seal. The polling officer shall also seal the key if any of the ballot box in such a manner as to prevent its being used and keep the key sealed with him.

(3) Every ballot box used at a polling station shall bear labels, both outside and inside, marked with—

(a) the number of the ward,

(b) the serial number of the polling station, if there be more than one polling station in the ward,

(c) the serial number of the ballot box (to be filled at the end of the poll on the label outside the ballot box only), and

(d) the date of poll.

(4) The ballot box closed, sealed secured and labelled as provided in sub-rules (2) and (3) shall be placed in full view of the polling officer.

27. **Ballot Paper.**—(1) The ballot paper shall be printed in Form VIII in English or in the official language or in the language commonly used in the State or both, and shall indicate the names and symbols of contesting candidates, and be serially numbered, the number being printed on the back of the ballot paper:

Provided that a tendered ballot paper shall be printed on a paper of a different colour which shall bear a serial number of its own.

(2) The names of the candidates shall be arranged in the same order in which they appear in the list of candidates contesting the election published under rule 22-C.

(3) If two or more candidates bear the same name, they shall be distinguished by the addition of their occupation or residence or in some other manner.

(4) The candidates belonging to the Scheduled Castes or the Scheduled Tribes shall be distinguished by placing the letter ‘S’ circumscribed by a circle against their names.

(17) in rule 28, for sub-rule (4), the following sub-rules shall be substituted, namely:—

“(4) (a) The Returning Officer shall in the case of every elector who has been permitted under sub-rule (2) to give his vote at the election by

postal ballot, send by registered post to each such elector a ballot paper in Form VIII together with—

- (i) a blank declaration form in Form VIII-A;
- (ii) an envelope with the number of ballot paper entered on its face in Form VIII-B;
- (iii) a large cover addressed to the Returning Officer in Form VIII-C; and
- (iv) a letter in Form VIII-D.

The Returning Officer shall have the number of the ballot paper entered at the bottom of the envelope in Form VIII-B.

- (b) The ballot paper together with the declaration, envelope, cover and letter shall be sent to the elector at the address given in the application made by him under sub-rule (2).
 - (c) An elector who has received a postal ballot paper sent under clause (a) and desires to vote, shall record his vote on the ballot paper and sign the declaration in Form VIII-A and also obtain the attestation of his signature by any officer authorised in this behalf by the President, or any magistrate to whom the elector is personally known or to whose satisfaction the elector has been identified, in accordance with the instructions contained in the letter sent with the ballot paper.
 - (d) The elector shall then place the ballot paper in the envelope in Form VIII-B, close the envelope and enclose it with the declaration (Form VIII-A) in the cover (Form VIII-C) and send the cover to the Returning Officer in accordance with the instructions contained in the letter so as to reach him before 5 p.m. on the date fixed for the poll. Any cover which is not received by the Returning Officer before 5 p.m. on the date fixed for the poll shall be rejected. All such rejected covers shall be kept in a separate sealed packet by the Returning Officer.
 - (e) The Returning Officer shall keep in safe custody until the commencement of the counting of votes all covers containing postal ballot papers received by him under this sub-rule.
 - (f) No election shall be invalidated by reason that an elector has not received his ballot paper provided that a ballot paper has been issued to him in accordance with the provisions of this rule.
 - (5) The Returning Officer shall at the time of forwarding the postal ballot paper also record under his signature the fact of issue of the ballot paper against the entry relating to that elector in the copy of the Electoral Roll relating to that part of the Cantonment which shall be used at the time of poll for voting by electors in person.
 - (6) After the ballot papers have been issued to all electors entitled to vote by post, the Returning Officer shall enclose and seal the marked copy of the electoral roll relating to each polling station in special covers and shall hand over personally the covers containing the marked copy of the electoral roll to the Polling Officer concerned on the day of the poll";
- (18) rule 29 shall be renumbered as sub-rule (1) of that rule and after sub-rule (1) as so renumbered, the following sub-rules shall be inserted, namely:—
- "(2) Every elector, about whose identity the polling officer is satisfied, shall allow his left forefinger to be inspected by the polling officer and an indelible mark to be put on it.
 - (3) If any elector refuses to allow his left forefinger to be inspected or marked in accordance with sub-rule (2) or has already such a mark on his left forefinger or does any act with a view to removing the ink mark, he shall not be supplied with any ballot paper or allowed to vote
 - (4) Any reference in this rule to the left forefinger of an elector shall, in the case where the elector has his left forefinger missing, be construed as a reference to any other finger of his left hand, and shall in the case where all the fingers of his left hand are missing, be construed as a reference to the forefinger or any other finger of his right hand, and shall in the case where all his fingers of both the hands are missing be construed as a reference to such extremity of his left or right arm as he possesses.";

(19) for rule 30, the following rule shall be substituted, namely:—

"30. Procedure for the supply of ballot papers and method of voting.—(1) On satisfying himself that a person is entitled to receive a ballot paper, the polling officer shall—

- (a) record the serial number of the ballot paper against the entry relating to the elector in the copy of the electoral roll set apart for the purpose;
- (b) stamp the ballot paper with an official mark on the back;
- (c) initial the ballot paper on the official mark;
- (d) hand over the ballot paper to the voter, instructing him how many votes he has and how he may record his vote.

(2) Save as provided in clause (a) of sub-rule (1), no person in the polling station shall note down the serial numbers of the ballot papers issued to particular electors.

(3) The elector on receiving the ballot paper shall forthwith—

- (a) proceed to one of the voting compartments,
- (b) there make a mark on the ballot paper with the instrument supplied for the purpose on or near the symbol of the candidate or on or near the symbols of the candidates, in case of election in a multiple constituency, for whom he intends to vote,
- (c) fold the ballot paper so as to conceal his vote,
- (d) if required, show to the Polling Officer the distinguishing mark on the ballot paper,
- (e) insert the folded ballot paper into the ballot box, and
- (f) quit the polling station.

(4) Every elector shall vote without undue delay.

(5) No elector shall be allowed to enter a voting compartment when another elector is inside it.

(6) If owing to blindness or other physical infirmity, an elector is unable to recognise the symbols on the ballot paper or to make a mark thereon, the polling officer shall record the vote on the ballot paper in accordance with the wishes of the elector, fold it so as to conceal the vote and insert it into the ballot box.

(7) While acting under sub-rule (6) the polling officer shall observe as much secrecy as is feasible and shall keep a brief record of each such instance but shall not indicate therein the manner in which any vote has been given";

(20) in rule 32, the words "together with its Counterfoil" shall be omitted;

(21) for rule 33, the following rule shall be substituted, namely—

"33. Challenging of Identity—(1) Any candidate or his election agent may challenge the identity of a person claiming to be a particular elector by first depositing a sum of two rupees in cash with the polling officer for each such challenge.

(2) On such deposit being made, the polling officer shall—

- (a) warn the person challenged of the penalty for personation;
- (b) read the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry;
- (c) enter his name and address in the list of challenged votes in Form X; and
- (d) require him to affix his signature in the said list.

(3) The polling officer shall thereafter hold a summary inquiry into the challenge and may for that purpose—

- (a) require the challenger to adduce evidence in proof of the challenge and the person challenged to adduce evidence in proof of his identity;

- (b) put to the person challenged any questions necessary for the purpose of establishing his identity and require him to answer them on oath; and
- (c) administer an oath to the person challenged and any other person offering to give evidence.
- (4) If, after the inquiry, the polling officer considers that the challenge has not been established, he shall allow the person challenged to vote; and if he considers that the challenge has been established, he shall debar the person challenged from voting.
- (5) If the polling officer is of the opinion that the challenge is frivolous or has not been made in good faith, he shall direct that the deposit made under sub-rule (1) be forfeited to the Board, and in any other case, he shall return it to the challenger at the conclusion of the inquiry.”;
- (22) for rules 35 and 36, the following rules shall be substituted, namely:—
- “35. Closing of Poll.—**(1) At the time fixed for the conclusion of polling, the polling officer shall close the polling station, and shall not thereafter admit any elector into the polling station:
- Provided that all electors present at the polling station before it is closed shall be allowed to cast their votes.
- (2) If any question arises whether any elector was present at the polling station before it was closed, it shall be decided by the Polling Officer and his decision shall be final.
- 36. Ballot boxes and other papers to be sealed and forwarded to the Returning Officer.—**(1) As soon as practicable after the closing of the poll, the polling officer shall, in the presence of such of the candidates and their election agents as may be in attendance close the slit of the ballot box and where the box does not contain any mechanical device for closing the slit, he shall seal up the slit with his own seal and also allow any candidates or their election agents as may desire to affix their seals. The polling officer shall also attach the sealed key if any, to the ballot box. He shall also enclose in separate packets and seal up in the same manner—
- (a) the tendered ballot papers,
- (b) the unused ballot papers,
- (c) the spoilt ballot papers,
- (d) the marked copy of the electoral roll,
- (e) the tendered votes list,
- (f) the challenged votes list.
- (2) The packets shall be clearly marked with the name or number of the polling station and number of the ward and the number of its contents, and, together with the ballot box or boxes, and key or keys thereof shall be forwarded without delay to the Returning Officer. The polling officer shall also forward a list of articles despatched to the Returning Officer and accounting for the ballot papers and tendered ballot papers received by him and their issue.”;
- (23) for rules 38 and 39, the following rules shall be substituted, namely:—
- “38. Opening of ballot boxes, scrutiny of ballot papers and counting of votes.—**(1) The ballot box or ballot boxes, if more than one ballot box is used, for each polling station shall be opened separately, and the Returning Officer shall take out the papers therefrom, distributing them for counting as he thinks fit, care being taken that where there is more than one polling station for a ward, the ballot boxes relating thereto shall be opened at the same time or immediately following one after another, keeping the papers taken out from each such box in a separate heap.
- (2) The Returning Officer shall scrutinise every ballot paper kept in different heaps under sub-rule (1).

(3) The Returning Officer shall reject a ballot paper—

- (a) if it bears any mark or writing by which the elector can be identified; or
- (b) if no vote is recorded thereon; or
- (c) if votes are given on it in favour of more candidates than there are members to be elected; or
- (d) if the mark indicating the vote thereon is placed in such manner as to make it doubtful to which candidate the vote has been given; or
- (e) if it is a spurious ballot paper; or
- (f) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or
- (g) if it bears a serial number, or is of a design different from the serial number, or as the case may be, design, of the ballot papers authorised for use at the particular polling station; or
- (h) if it does not bear the official mark which it should have borne under the provision of clause (b) of sub-rule (1) of rule 30;

Provided that where the Returning Officer is satisfied that any such defect as is mentioned in clause (g) or clause (h) has been caused by any mistake or failure on the part of a polling officer, the ballot by paper shall not be rejected, merely on the ground of such defect:

Provided further that the ballot paper shall not be rejected merely on the ground that the mark indicating the vote is indistinct or made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked.

- (4) Before rejecting any ballot paper under sub-rule (3), the Returning Officer shall allow each candidate or his election agent present, a reasonable opportunity to inspect the ballot paper but shall not allow him to handle it or any other ballot paper.
- (5) The Returning Officer shall record on every ballot paper which he rejects, the letter 'R' and the grounds of rejection, in abbreviated form either in his own hand or by means of a rubber stamp.
- (6) All ballot papers rejected under this rule shall be bundled together.
- (7) The Returning Officer shall then count or cause to be counted the valid votes given to each candidate on the ballot papers provided that no cover containing tendered ballot papers shall be opened and no such paper shall be counted.
- (8) After counting of all ballot papers contained in all ballot boxes used at a polling station has been completed the Returning Officer shall make the entries in a result sheet in Form X-A and announce the particulars.
- (9) The valid ballot papers shall then be bundled together and kept along with the bundle of the rejected ballot papers in a separate packet which shall be sealed and on which shall be recorded the following particulars, namely:—
 - (a) the name of the ward,
 - (b) the particulars of the polling station where the ballot papers have been used,
 - (c) the date of counting.

38A. Scrutiny of postal ballot papers and counting of votes.—(1) After scrutiny and counting the ballot papers found in ballot boxes has been completed, the Returning Officer shall deal with the postal ballot papers in the manner hereinafter provided.

- (2) No cover in Form VIII-C received by the Returning Officer after the expiry of the time fixed in this behalf under clause (d) of sub-rule (4) of rule 28 shall be opened and no vote contained in any such cover shall be counted
- (3) The other covers shall be opened one after the other and as each cover is opened the Returning Officer shall scrutinise the declaration in Form VIII-A.

- (4) If the said declaration is not found or has not been duly signed and attested or is otherwise substantially defective or if the serial number as entered in it differs from the serial number endorsed on the envelope containing the postal ballot paper, that envelope shall not be opened and after making an appropriate endorsement thereon, the Returning Officer shall reject the ballot paper therein contained.
- (5) Each envelope so endorsed and the declaration received with it shall be replaced in the cover in Form VIII-C and all such covers in Form VIII-C shall be kept in a separate packet which shall be sealed and on which shall be recorded the name of the ward the date of counting and brief description of its contents.
- (6) The Returning Officer shall then place all the declaration forms in Form VIII-A which he has found to be in order in a separate packet which shall be sealed before any envelope containing the postal ballot paper is opened and on which shall be recorded the particulars referred to in sub-rule (5).
- (7) The envelopes (Form VIII-B) containing the postal ballot papers not already dealt with under the foregoing provisions of this rule shall then be opened one after the other and the Returning Officer shall scrutinise each ballot paper and decide the validity of the vote recorded thereon.
- (8) A postal ballot paper shall be rejected---
- if no vote is recorded thereon; or
 - if votes are given in favour of more candidates than there are members to be elected; or
 - if it is a spurious ballot papers; or
 - if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or
 - if it is not returned in the envelope sent along with it to the elector by the Returning Officer.
- (9) A vote recorded on a postal ballot paper shall be rejected if the mark indicating the vote is placed on the ballot paper in such manner as to make it doubtful to which candidate the vote has been given
- (10) A vote recorded on a postal ballot paper shall not be rejected merely on the ground that the mark indicated on the vote is indistinct or made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked
- (11) The Returning Officer shall record on every ballot paper which he rejects the letter 'R' and the grounds of rejection in abbreviated form either in his own hand or by means of a rubber stamp.
- (12) The Returning Officer shall then count or cause to be counted the valid votes given to each candidate on the postal ballot papers and record the total thereon in the result sheet in Form X-A and announce the same.
- (13) Thereafter all the valid ballot papers and all the rejected ballot papers shall be separately bundled and kept together in a packet which shall be sealed and on which shall be recorded the name of the ward, the date of counting and a brief description of its contents.
- 39. Results of polling.**—(1) After the counting has been completed and results recorded in Form X-A, the Returning Officer shall prepare a return in Form XI of the results of polling. He shall also, subject to the provisions of rule 22-A, declare to be elected the candidate or candidates to whom most valid votes have been given:

Provided that if there is an equality of votes between any two or more candidates, the Returning Officer shall after such notice as may be necessary to the candidates concerned decide by drawing lots which candidate or candidates he shall declare to have been elected.

- (2) The Returning Officer shall also simultaneously publish the return showing the results of election in Form XI in the same manner as the notice in rule 8 and also cause the same to be published in a local newspaper.”;
- (24) after rule 39, the following rule shall be inserted, namely:—
- “40. **Transmission of documents, etc. to the Executive Officer for safe custody.**—The Returning Officer shall, immediately after the declaration of the results of poll, forward to the Executive Officer—
- (i) the sealed packets referred to in sub-rule (1) of rule 36
 - (ii) the empty ballot boxes and their keys, if any,
 - (iii) the lists of articles referred to in sub-rule (2) of rule 36 received by him from the polling officers,
 - (iv) account of ballot papers and tendered ballot papers referred to in sub-rule (2) of rule 36,
 - (v) the sealed packets referred to in sub-rule (9) of rule 38,
 - (vi) all unopened covers in Form VIII-C referred to in sub-rule (2) of rule 38-A enclosed within a sealed packet, the contents thereof being marked outside,
 - (vii) the sealed packets referred to in sub-rules (5), (6) and (13) of rule 38-A.”;
- (25) in rule 41,—
- (i) in sub-rule (1), for the words, brackets and figures, “under sub-rule (6) of rule 38” the words, and figures “under rule 40” shall be substituted;
 - (ii) in sub-rule (2), the words “and the counterfoils,” shall be omitted;
- (26) in rule 50, in the Explanation below sub-rule (6),—
- (a) in paragraph (1), the words “a polling agent” shall be omitted;
 - (b) in paragraph (2), the words “or a polling agent or a counting agent” shall be omitted;
- (27) for rule 51, the following heading and rule shall be substituted, namely:—

“Chapter VIII—Miscellaneous provisions

- 51 **Effect of notification of public holidays.**—Notwithstanding anything contained in these rules, if any day, on which any act or proceeding is prescribed or intended, to be done or taken, is notified to be a public holiday for the purposes of section 25 of the Negotiable Instruments Act, 1881 (26 of 1881), or is notified by the State Government to be a holiday for the Government offices in the State, then, that act or proceeding shall be done or taken on the next succeeding day which is not a public holiday.”;
- (28) rule 52 shall be omitted;
- (29) in the First Schedule,—
- (a) after Form I, the following Form shall be inserted, namely.—

“FORM I-A

(See rule 7)

Letter of Request

Place _____
Date _____

To

The occupant of _____
_____ Cantonment.

Dear Sir/Madam,

The preparation of the Electoral Roll for Ward No. _____ of the _____ Cantonment in which you are resident has been taken in hand. It will greatly facilitate my work if you will kindly complete the statement below after reading the attached instructions and hand it over to my assistant who will call for it.

Yours faithfully,
Cantonment Executive Officer.

STATEMENT

Names and particulars of adults residing in the above premises.

Name	Particulars as to father or husband	Age on 1st March, 19
1.		
2.		
3.		
4.		
etc.		
Signature _____		
Date: _____		

Instructions

1. The names of all persons who have completed 21 years of age on or before the 1st March of this year and who are ordinarily residing in the premises should be entered.

2. Only the names of those who are continuously resident in the Cantonment for a period of not less than six months immediately preceding 1st March should be entered.

3. Enter against Serial No. 1 in the first column, the name of the head or other senior member of the family, provided he or she has the qualifications mentioned in paragraphs 1 and 2 above.

4. In the case of every male resident, enter in the second column the name of his father preceded by the words 'son of'.

5. In the case of every female resident enter in the second column:—

(i) the name of the husband preceded by the words "wife of", if she be married;

(ii) the name of the late husband preceded by the words "widow of", if she be a widow; and

(iii) the name of the father preceded by the words "daughter of" if she be unmarried.

6. In the third column, enter the age of the person as accurately as possible, giving only the number of complete years and ignoring the months";

(b) in Form II, in paragraph 4 of the Notice, after the words and figure "in Form IV" the words and figure "or Form IV-A" shall be inserted;

(c) for Forms III and IV, the following Forms shall be substituted, namely:—

"FORM III

[See rule 9(1)]

Claim application for inclusion of name

To

The Cantonment Executive Officer,
_____ Cantonment.

Sir,

I request that my name be included in the electoral roll for the Ward No. _____ of the Cantonment.

My name (in full) _____

My Father's/Mother's/Husband's name _____

Particulars of my place of residence are:—

House No. _____

Street/Mohalla _____

Ward Number _____

I hereby declare that to the best of my knowledge and belief:

- (i) that I am a resident of Ward No. _____ of the _____ Cantonment and that I have been continuously residing in the Cantonment for a period of not less than six months immediately preceding 1st March, _____
- (ii) that my age on the first day of March last was _____ years and _____ months;
- (iii) that I am resident at the address given above and am eligible for registration as an elector;
- (iv) that I have not applied for the inclusion of my name in the electoral roll for any other ward of the Cantonment,
- (v) that my name has not been included in the electoral roll for any other ward,

or

that my name may have been included in the electoral roll for Ward No. _____ of the Cantonment under the address mentioned below and, if so, I request that the same may be excluded from the electoral roll of the said ward.

Signature or thumb impression of claimant.

Place: _____

Date: _____

I, being an elector whose name is included in Part _____ of the Electoral roll under Serial No. _____ support this claim and countersign it.

Signature of the elector,
Name (in full)

FORM IV
[See rule 9(2)]
Objection to inclusion of name

To
The Cantonment Executive Officer,
_____ Cantonment.

Sir,

I object to the inclusion of my name/the name of* _____ Serial No. _____ in Part _____ of the electoral roll for Ward No. _____ of the Cantonment for the following reason(s):—

I hereby declare that the facts mentioned above are true to the best of my knowledge and belief.

My name has been included in the electoral roll for this ward as follows:—

Name in full _____
Father's/Husband's/Mother's/name _____
Serial No. _____
Part No. _____

Signature/thumb impression of objector.

Date: _____ (Full postal address) _____

I, being an elector whose name is included in Part _____ of the electoral roll under Serial No. _____ support this objection and countersign.

Signature of the Elector.
(Name in full)

*Strike out inapplicable portion.

"FORM IV-A

[See rule 9(4) (a)]

Objection to particulars in an entry

To

The Cantonment Executive Officer,
_____ Cantonment.

Sir,

I submit that the entry relating to myself which appears at Serial No. _____ in Part _____ Ward No. _____ of the electoral roll as "_____ " is not correct. It should be corrected to read as follows:—

"_____
_____"

Signature or thumb impression of the elector";

Place: _____

Date: _____

(d) for Forms VI, VII, VIII, VIII-A, VIII-B and VIII-C, the following Forms shall be substituted, namely:—

"FORM VI

(See rule 16)

Nomination Paper

Election for the Cantonment Board _____
to be held on _____

(To be filled by the Proposer)

I hereby nominate _____ as a candidate for election from Ward No. _____ at the election referred to above.

1. Full Name of proposer _____

2. Electoral Roll Number of proposer _____

Ward No. _____ Roll No. _____
Part No. _____

3. Name of Candidate's father/husband _____

4. Full postal address of candidate _____

5. Electoral roll number of candidate _____

Ward No. _____ Roll No. _____
Part No. _____

Date: _____

Signature of proposer.

(To be filled by the Candidate)

I, the abovementioned candidate, hereby declare that to the best of my knowledge and belief I am eligible for election as a member of the Cantonment Board and assent to this nomination.

The symbols I have chosen are in order of preference—

- (i) _____
- (ii) _____ and
- (iii) _____

Date: _____.

Signature of Candidate

Further declaration to be made by a Scheduled Caste or a Scheduled Tribe Candidate.

I hereby declare that I am a member of the _____ **Caste/Tribe which is a Scheduled **Caste/Tribe of the State of _____ in relation to _____ (area) in that State.

Dated: _____.

Signature of Candidate.

(To be filled by the Returning Officer)

Serial No. of Nomination Paper _____.

This nomination was delivered to me at my office at _____ (hour) on _____ (date) by the *candidate/proposer/election agent.

Date: _____.

Returning Officer.

**Strike off one of the alternative as necessary.

FORM VII
(See rule 19)

List of Validly nominated Candidates

Election to the Cantonment Board _____

Sl. No.	Name of Candidate	Name of **Father/ husband	Address of Candidate	Ward for which nominated
1	2	3	4	5

NOTE—The nomination papers will be taken up for Scrutiny at (time) on the (Date) at (Place)

Date

Returning Officer.

**Strike out inappropriate alternative.

FORM VII-A

[See rule 21(1)]

Notice of Withdrawal

Election to the Cantonment Board

I

(To be filled by the Candidate)

To

The Returning Officer,

Cantonment Board Election, Cantonment.

I a candidate nominated at the above election do hereby give notice that I withdraw my candidature.

Signature of Candidate,

Place

Date

II

(To be filled by the Returning Officer)

The notice was given to me at (hour) (date) by (name) Candidate/Election Agent,

Date

Returning Officer

III

(To be handed over to the person delivering the notice)

The notice of withdrawal of Candidature by Candidate at the election to the Cantonment Board from Ward No. was delivered to me (hour) on (date).

Date.....

Returning Officer.

Seal.

FORM VII-B

[See rule 21(3)]

Notice of Withdrawal of Candidatures

Election to the Cantonment Board.....

Notice is hereby given that the following Candidate/Candidates at the above Election withdrew his/their Candidature today.

Name of Candidate	Name of Father/ Husband	Address of Candi- date	Ward for which the candidate had been nominated
-------------------	----------------------------	---------------------------	---

- 1.
- 2.
- 3.

Date.....

Returning Officer.

FORM VII-C

(See rule 22-C)

List of Contesting Candidates

Election to the Cantonment Board. on.....

Serial No.	Name of Candidate	Address of Candidate	Ward for which nominated	Symbol allotted
------------	-------------------	----------------------	--------------------------	-----------------

1	2	3	4	5
---	---	---	---	---

- 1.
- 2.
- 3.
- 4.

..... Cantonment.

Returning Officer.

Date

FORM VIII

(See rule 27)

Ballot Paper

(S)

(Name)

(Symbol)

(Name)

(Symbol)

Election to the Cantonment Board..... (Name of Cantt.)

Ward No, 196

(S) indicates Scheduled Caste/tribe Candidate.

(S)

(Name)

(Symbol)

(Name)

(Symbol)

*

*

*

*

*

*

*

*

*

*

*

*

P.T.O.

Back of Ballot Paper

Print here Serial Number

FORM VIII-A

[See rules 28(2) and 28(4) (a) (i)]

Declaration by Elector

Election to the Cantonment Board _____ Ward No. _____

I hereby declare that I am the person whose name appears as Elector Number _____ on the Electoral Roll for Ward No. _____ to whom the postal ballot paper bearing serial number _____ has been issued at the above election and that I have not voted in the election for this Cantonment.

Place: _____

Date: _____

Signature of Elector.

Address: _____

Attestation of Signature

The above has been signed in my presence by _____ (Elector) who is personally known to me/has been identified to my satisfaction by _____ (identifier) who is personally known to me.

Signature of identifier if any.

Signature of Attesting Officer

Name (in black capitals)

Designation _____

Address: _____

Date: _____

Address: _____

FORM VIII-B

[See rule 28(4) (a) (ii)]

Envelope

Not to be opened before counting

(A)

Election

to the Cantonment Board _____

Ward No. _____

POSTAL BALLOT PAPER

Serial number of ballot paper _____

FORM VIII-C

[See rule 28(4) (a) (iii)]

Cover

NOT TO BE OPENED BEFORE COUNTING

(B)

Election Immediate

Cantonment of _____

POSTAL BALLOT PAPER

Election to the Cantonment Board _____

Ward No. _____

To

The Returning Officer

Cantonment of _____

_____ Ward

(Address of Returning Officer)

_____ Cantonment.

FORM VIII-D

[See rule 28(4) (a) (iv)]

Form of letter of intimation and instructions to Elector

Cantonment of _____

Election to

_____ Ward

Dear Sir/Madam,

1. The persons whose names are printed on the ballot paper sent herewith have been nominated as candidates for the election to the Cantonment Board of _____ Ward _____. Should you desire to vote at this election, I have to request that:—

- (a) You will record your vote by placing a 'X' mark (clearly) on the ballot paper on or near the symbol opposite to the name (or names) of the candidate (or candidates) for whom you wish to vote. The mark(s) should be so placed as to indicate clearly and beyond doubt to which candidate(s) you are giving your vote(s). If the mark is so placed as to make it doubtful to which Candidate you have given the vote, that vote will be invalid.
- (b) You shall not give more than one vote to a candidate.
- (c) After you have recorded your vote on the ballot paper, place the ballot paper in the envelope marked 'A' sent herewith, close the envelope and secure it by seal or otherwise.
- (d) You will then sign the enclosed declaration in Form VIII-A in the presence of an attesting officer who shall attest only your signature but not your vote which you should not record in the presence of the attesting officer. You must not show your ballot paper to the attesting officer nor tell him how you have voted.
- (e) You will then place the closed envelope marked 'A' and the duly attested declaration Form, in the cover Marked 'B' addressed to me and return the cover to me by prepaid post or by messenger so as to reach me before 5 P.M. on the _____ day of _____ 19____.

2. The number of the members to be elected is _____ only.

3. Cover returned by post on which the postage has not been pre-paid will not be received by me.

4. The Officers who are empowered to attest the ballot paper are (1) _____
or (2) any stipendary Magistrate.

5. Your number on the electoral roll for _____ ward is _____. You
should insert this number in the declaration form VIII-A.

Yours faithfully,
Returning Officer.

To

Shri/Smt. _____

Address _____

Date _____

e) after Form X the following Form shall be inserted, namely :—

“FORM X-A

(See rules 38 and 38-A)

Final Results Sheet

ELECTION

To the Cantonment Board.....

from Ward No.....

Serial No.⁹	Polling Station		Number of valid votes cast in favour of			Number of			Remarks
	Name		A	B	C	Valid votes	Rejected votes	Total votes for polling Station	

Total number of votes recorded at polling Stations.

Number of votes recorded on postal ballot papers.

Total votes polled

Place

Returning Officer”.

Date

(30) the Second and Third Schedules shall be omitted.

3. Nothing in these rules shall be deemed to affect the validity of any electoral roll prepared and published in accordance with the Cantonments Electoral Rules, 1945, as they stood immediately before the commencement of these rules.

4. These rules also shall not apply to or in relation to any election notified under section 16 of the Act but not completed before the commencement of these rules and the provisions of the Cantonments Electoral Rules 1945 as they stood immediately before the commencement of these rules shall continue to apply to or in relation to any such election as if these rules had not been made.

[No. 17|1|G|L&C|64|502-C|D(Q&C).]

CORRIGENDUM

New Delhi, the 26th February 1966

S.R.O. 25.—In the Notification of the Government of India in the Ministry of Defence S.R.O. No. 16 dated the 10th January 1966 published at Page 18 of the Gazette of India, Part II, Section 4, dated the 29th January 1966 for "LT. COL. P. W." occurring in line 2 of the said Notification read "a vacancy has"

[File No. 19|39|C|L&C|65|503-C|D(Q&C).]

SATYA PAL SARNA, Under Secy.

New Delhi, the 26th February 1966

S.R.O. 53.—In exercise of the powers conferred by sub-section (2) of section 12 of the National Cadet Corps Act, 1948 (31 of 1948), read with sub-rule (2) of rule 42 of the National Cadet Corps Rules, 1948, and in supersession of the notification of the Government of India in the Ministry of Defence No. S.R.O. 94 dated the 16th March, 1963, the Central Government hereby appoints a State Advisory Committee of the National Cadet Corps for the State of Assam consisting of the following persons, namely:—

1. The Minister of Education, the State of Assam.
(Chairman)
2. The Secretary to the Government of Assam, Education Department.
3. The Vice-Chancellor, Gauhati University, Gauhati.
4. The Director of Public Instruction, Assam.
5. The Assistant Quartermaster General, 101 Communication Zone Area.
6. Shri N. Islam, Principal, Cotton College, Gauhati.
7. Shri D. N. Bhattacharjee, Principal, S.S. College, Hallakandi.
8. Shri K. D. Barua, Headmaster, Government High School, Nowgong.
9. Shrimati P. Choudhury, Headmistress, Panbazar Government Aided Girls High School, Gauhati.
10. The Director, National Cadet Corps, Assam, Manipur, Tripura, NEFA and Nagaland.
Nagaland.
11. Shrimati A. Ahmed, M.A., Officiating Principal, Handique Girls College Gauhati.
12. Shri Hoover Hynniewta, M.L.A., Shillong.
13. Shri Khogendra Nath, M.L.A., Goalpara.
14. The Deputy Secretary to the Government of Assam, Finance Department.
15. Shrimati K. K. Barua, Deputy Minister of Education, the State of Assam.
S. P. SRINIVASAN, Dy. Secy.

New Delhi, the 25th January 1966

In the matter of the Charitable Endowments Act, 1890,

AND

In the matter of the D.G.O.F. Central Aid Fund.

S.R.O. 54.—The following amendments are made to the Gazette Notification No. 704 dated the 10th April, 1957 published on 20th April 1957:—

- (a) The words "the DGOF Central Aid Fund" wherever it occurs to be substituted with the words "The Shahaney Memorial Trust Fund".

(b) *Schedule II*

- (i) Para 6(b) for the words 'D.D.G.O.F. (Administration) the words "the Senior most Additional Director General" to be substituted.
- (ii) Para 6(c) for the words "A.D.G.O.F. (Administration) and A.D.G.O.F. (Establishment)" the words "D.D.G.O.F. (Personnel)" to be substituted.

(c) *Annexure to Schedule II*

- (i) The words "and who is governed by the Payment of Wages Act, 1936 (4 of 1936) to be deleted.
- (ii) The following words to be added to para (vi) after the word 'children' "and to the children of those employees who lose their lives in accidents".
- (iii) The following to be added as (vii) 'relief to bereaved families of employees and to families of employees temporarily or permanently incapacitated'.
- (iv) The following to be added as (viii) 'cases of distress as decided by the General Committee of Management for which no relief is possible under other enactments/rules.

V. I. RAJAGOPAL, Under Secy.